

MESSAGE NO: 0291320 MESSAGE DATE: 10/18/2010

MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: RES-Rescission

FR CITE: FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-533-825

EFFECTIVE DATE: 10/14/2010 COURT CASE #: 09-00010

PERIOD OF REVIEW: 01/01/2006 TO 12/31/2006

PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: RE: LIQUIDATION INSTRUCTIONS FOR POLYETHYLENE TEREPHTHALATE FILM, SHEET, AND STRIP FROM INDIA PRODUCED AND/OR EXPORTED BY MTZ POLYFILMS, LTD. FOR PERIOD 01/01/2006 THROUGH 12/31/2006 (C-533-825)

1. ON 07/14/2010, THE U.S. COURT OF INTERNATIONAL TRADE (CIT) ISSUED A FINAL DECISION IN THE CASE OF MTZ POLYFILMS, LTD. V. UNITED STATES, COURT NO.09-00010. AS A RESULT OF THIS DECISION, THE INJUNCTION TO WHICH MESSAGE 9042202 REFERS ENJOINING LIQUIDATION OF ENTRIES WHICH ARE SUBJECT TO THE COUNTERVAILING DUTY ORDER ON POLYETHYLENE TEREPHTHALATE FILM, SHEET, AND STRIP FROM INDIA FOR PERIOD 01/01/2006 THROUGH 12/31/2006 PRODUCED AND/OR EXPORTED BY MTZ POLYFILMS LTD. DISSOLVED ON 09/12/2010.
2. FOR ALL SHIPMENTS OF POLYETHYLENE TEREPHTHALATE FILM, SHEET, AND STRIP FROM INDIA PRODUCED AND/OR EXPORTED BY MTZ POLYFILMS, LTD., AND ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 01/01/2006 THROUGH 12/31/2006, ASSESS A COUNTERVAILING DUTY OF 65.59 PERCENT OF THE ENTERED VALUE LISTED.
3. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 01/01/2006 THROUGH 12/31/2006. FOR ALL OTHER SHIPMENTS OF POLYETHYLENE TEREPHTHALATE FILM, SHEET, AND STRIP FROM INDIA YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED COUNTERVAILING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.
4. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED BY THIS INSTRUCTION.
5. THE ASSESSMENT OF COUNTERVAILING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED

AMOUNTS DEPOSITED AS ESTIMATED COUNTERVAILING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED COUNTERVAILING DUTIES BEFORE THE DATE OF PUBLICATION OF THE COUNTERVAILING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED COUNTERVAILING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O6:EB).

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party